

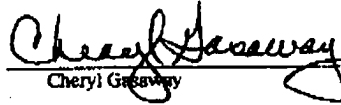
## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Application No. : 10/718,078  
Applicant : Michael A. Woodruff  
Filed : 11/20/2003  
Tech. Center/Art Unit : 3611  
Examiner : SILBERMANN, Joanne

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Attorney File No. : WDRFJ 100  
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For : ILLUMINATED DISPLAY DEVICE

I hereby certify that this correspondence is being facsimile transmitted to the USPTO, Fax No. (703) 872-9306, on  
11-1-04 (date).

  
Cheryl Galloway

## Fax Information

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**RENEWED PETITION TO MAKE SPECIAL**

In response to the Decision On Petition To Make Special mailed October 18, 2004, Applicant hereby renews his petition to the Commissioner to make this application Special under 37 CFR 1.102 so that the prosecution thereof may be expedited. The appropriate fee under 37 CFR 1.17(i) has already been paid.

A pre-examination search was made in class 362 (subclasses 190, 800, 806 and 810), class D26 (subclasses 5 and 7). One Examiner, Mr. Husar was also consulted. One copy of each reference that was found in the search accompanies this petition, and each reference that is closely related to the subject matter encompassed by the claims of the instant invention is discussed in detail below.

## DISCUSSION

### The Invention

The invention is a display device. The display device includes an illumination assembly having an electrical circuit that includes an electrical power supply, preferably a battery, a light source and a switch electrically interposed between the light source and the power supply. The light source is a light-emitting diode (LED). A mounting film, preferably a static cling film, is attached to the illumination assembly, which through static attraction mounts the illumination assembly and mounting film to a substrate, such as a window. The mounting film has a first major surface and a second, opposite major surface. The second, opposite major surface preferably has at least one indicium on it.

The switch is manually actuatable, and the electrical circuit, including the battery, the light source and the switch, is enclosed within a housing that is attached to the mounting film. Such a display device is relatively simple, attaches and stays attached to a window, mirror, appliance front or any other suitable substrate and illuminates any indicia on the mounting film.

The invention has a very small thickness because it is made using an LED, a button-like battery, and a thin switch. These are attached to a very thin static cling film, providing a display device that does not protrude into a room nor does it rest upon a window sill or hang from a window frame. This causes the invention to be extremely safe inasmuch as it is virtually impossible to unintentionally remove the invention from the substrate, such as a window.

The invention is lightweight, simple in design with minimal components, and is easily and quickly attached to and removed from the substrate without damaging the surface to which it is attached. In addition, the design allows for quick and easy changes of the displayed indicia.

The invention represents significant improvements and advantages over, and exceeds the capabilities of, all prior related inventions of record.

### The Search

The following patents were located in the search:

<u>Patent No.</u>	<u>Inventor's Last Name</u>	<u>Date of Patent</u>
3,700,879	Franc	Oct. 24, 1972
3,740,543	Franc	June 19, 1973
4,866,580	Blackerby	Sept. 12, 1989
5,034,658	Hiering et al.	July 23, 1991
5,315,492	Davenport	May 24, 1994
6,015,218	Snell	Jan. 18, 2000
6,143,381	Hawkins	Nov. 7, 2000

The following patents were located after the search referred to above was performed, and are also included and discussed herein.

<u>Patent No.</u>	<u>Inventor's Last Name</u>	<u>Date of Patent</u>
6,171,681	Mascarenhas et al.	Jan. 9, 2001
6,258,200	Kassab	July 10, 2001
6,308,445	Porraro	Oct. 30, 2001

U.S. Patent No. 5,315,492 to Davenport discloses a holiday display ornament with LED lights that is displayed in a window. The ornament is a Christmas wreath with artificial evergreen foliage and ribbon mounted to a frame. The LED lights are interwoven into the frame for lighting the ornament (column 2, lines 40-60). The ornament is attached to the window using suction cup hooks (column 3, lines 3-12).

Davenport does not teach the method of mounting an ornament to a window using static cling film. The invention disclosed in Davenport is a very thick ornament having foliage and other such materials attached to a frame that is displayed in a window, rather than being attached to it in the manner of a static cling film. This is unlike the Applicant's invention that contains a simple

design, such as a candle, that is displayed in a window using static cling film. Therefore, the claimed invention is not anticipated by, nor is the invention obvious from, Davenport.

U.S. Patent No. 6,015,218 to Snell discloses a holiday lighting decoration that is a display sheet made of transparent film having strand lights that are inserted into a pre-made pattern. The lights in this invention require a wall outlet for connection. In addition, the decoration is attached to a window using suction cup hooks.

Snell does not teach to mount the film to the window through static cling methods. The film in Snell is used for its transparent qualities because when the decoration is hanging in the window and it is daylight, the sunlight can shine through and thereby does not darken the home. Snell also does not teach the method of using LED lights in the decoration. In addition, it is not taught to mount the film to the window by any other means than through suction cup hooks. Therefore, the claimed invention is not anticipated by, nor is the invention obvious from, Snell.

U.S. Patent No. 5,034,658 to Hiering et al. discloses an illumination system, for example, for a Christmas tree. The illumination system has LEDs that illuminate, thereby forming decorative lighting. The Hiering et al. patent does not teach a light source combined with a static cling film, nor does it teach attachment of the illumination system and a static cling film to another object. Therefore, the claimed invention is not anticipated by, nor is the invention obvious from, this patent.

U.S. Patent No. 3,740,543 to Franc discloses a battery-powered illumination device including a battery, light bulb and switching mechanism that permits the light to be switched on and off based upon the position of the card to which it is attached. This patent does not disclose the use of the lighting unit in association with a static cling film for mounting to any surface. Therefore, the claimed invention is not anticipated by, nor is the invention obvious from, this patent.

U.S. Patent No. 3,700,879 to Franc also discloses an illumination device that includes a light bulb and a housing that can be mounted to a greeting card having a transparent window. However,

this patent does not teach to use a mounting film that is statically attracted to the card, but instead uses adhesive. Therefore, the claimed invention is not anticipated by, nor is the invention obvious from, this patent.

U.S. Patent No. 6,143,381 to Hawkins discloses an apparatus for backlighting a stained glass ornament, a Christmas card or other sheet-like panels. A light is interposed between the panel and a reflective surface, such as a parabolic mirror, which concentrates the light upon the panel. This patent does not discuss the use of a static cling film in any way. Therefore, the claimed invention is not anticipated by, nor is the invention obvious from, this patent.

U.S. Patent No. 4,866,580 to Blackerby discloses a battery-powered candle including a battery, light and switch all mounted in a housing that simulates a candle's appearance. The candle is not mounted in any way using a static film. Therefore, the claimed invention is not anticipated by, nor is the invention obvious from, this patent.

U.S. Patent No. 6,308,445 to Porraro discloses a window cling having a surface upon which writing can be placed for display, such as by adhering the cling to the window of a car with the writing facing outwardly. However, no light, power source or switch is described in conjunction with the invention. Therefore, the claimed invention is not anticipated by, nor is the invention obvious from, this patent.

U.S. Patent No. 6,258,200 to Kassab discloses a static cling film that is interposed between a window sticker (using adhesive) and the windshield in order to make the window sticker easily removable from the windshield. There is no discussion of a light, power source or switch. Therefore, the claimed invention is not anticipated by, nor is the invention obvious from, this patent.

U.S. Patent No. 6,171,681 to Mascarenhas et al. discloses a cling film that accepts ink for forming images thereon. There is no disclosure of a light, power source or switch in this patent. Therefore, the claimed invention is not anticipated by, nor is the invention obvious from, this patent.

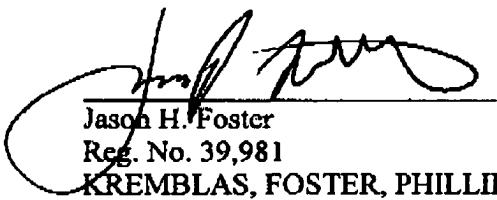
None of the preceding patents disclose, or make obvious, the claimed combination of a power supply, a light source, a switch and a mounting film for statically mounting the combination to a substrate. None of the preceding patents teach, or make obvious, the steps of constructing an illumination assembly that has an electrical circuit, which includes (a) an electrical power supply, preferably a battery, (b) a light source, and (c) a switch electrically interposed between the light source and the power supply. Further, it is not taught to create indicia for mounting to a static cling film, which is attached to the illumination assembly and through static attraction is displayed in a window.

Therefore, the claimed invention is not anticipated by the prior art nor is the claimed invention obvious therefrom. Thus, the claims are allowable over the prior art. The Applicant therefore respectfully petitions that an order be issued directing the above-entitled application be made "Special".

The Commissioner is authorized to charge Deposit Account No. 13-3393 for any insufficient fees under 37 CFR §§ 1.16 or 1.17, or credit any overpayment of fees.

Respectfully submitted,

01 November 2004  
Date of Signature

  
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